

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-20220 - APPLICANT/OWNER: CENTEX HOMES

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-3/se/sd/ld vote) recommends APPROVAL, subject to:

Planning and Development

1. This approval is limited to a maximum of 63-lots.
2. A minimum of 15,000 square feet of open space shall be required.
3. Conformance to the conditions for General Plan (GPA-20216), Rezoning (ZON-20217), Variance (VAR-20419), Variance (VAR-20219), Waiver (WVR-20568) if approved.
4. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All development shall be in conformance with the site plan dated 04/13/07, landscape plan, and building elevations date stamped 02/27/07, except as amended by conditions herein.
6. Site Development Plan Review (SDR-14323) and Variance (VAR-14322) are hereby expunged.
7. The standards for this development shall include a Minimum lot size of 1,440 square feet and Building height shall not exceed three stories or 35 feet, whichever is less.
8. The setbacks for this development shall be a minimum of five feet to the front of the house, zero feet on the side, five feet in the rear.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

11. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed. For all developments/projects.
12. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
13. Air conditioning units shall not be mounted on rooftops.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
15. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
16. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. A Waiver of Title 18.12.130, such as WVR-20568, shall be approved to allow Dolphins Court to terminate with a non-standard cul-de-sac. If a Waiver is not approved, construction of a cul-de-sac meeting current City Standards at the end of Dolphins Court will be required concurrent with development and a revised site plan shall be submitted to the City reflecting these improvements.
19. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Rock Springs Drive.
20. The proposed entry drive shall not be gated.

21. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
22. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
23. The distance from the face of the garage door to the private drive shall be a minimum distance of 18 feet or a maximum distance of 5 feet to prevent a vehicle in the driveway from encroaching into the vehicular or pedestrian travel corridor.
24. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site prior to submittal of a map or any construction drawings, whichever may occur first.
26. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-20217, WVR-20568 and all other applicable site-related actions.
25. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
27. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for Site Development Plan Review for a proposed 65-lot single family residential subdivision on 4.91 acres 300 feet south of Lake Mead Boulevard and the west side of Rock Springs Drive.

The proposed 65-lot, single-family residential subdivision lacks the required amount of open space and is considered incompatible with development in the area. A Variance (VAR-20219) has been requested to permit the deviation from open space requirements, and in addition, a Variance (VAR-20419) to permit an R-PD (Residential Planned Development) in 4.91 acres where five acres is required. The project also requires a Rezoning (ZON-20217) to R-PD14 (Residential Planned Development – 14 Units per Acre) and a General Plan Amendment (GPA-20216) to M (Medium Density Residential). Due to the incompatibility with the area and lack of required open space, denial of this application is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/07/91	The City Council approved a Rezoning (Z-0056-91) from N-U (Non-urban) to C-V (Civic).
12/02/92	The City Council approved an Extension of Time [Z-0056-91(1)] of an approved Rezoning.
01/19/94	The City Council approved an Extension of Time [Z-0056-91(2)] of an approved Rezoning.
09/06/06	The City Council approved to Amend (GPA-14318) a portion of the Southwest Sector Plan of the Master Plan from PF (Public Facilities) to H (High Density Residential), a Rezoning (ZON-14321) from U (Undeveloped) [PF (Public Facilities) Master Plan Designation] to R-4 (High Density Residential), a Site Development Plan Review (SDR-14323) for a proposed three-story, 92-unit residential condominium development, and a Variance (VAR-14322) to allow three stories where two stories or 35 feet is the maximum height on 4.43 acres adjacent to the west side of Rock Springs Drive, approximately 300 feet south of Lake Mead Boulevard. Staff recommended denial, while the Planning Commission recommended approval.
04/26/07	<p>The Planning Commission recommended approval of companion items ZON-20217, WVR-20568, VAR-20219 and VAR-20419 and failed to obtain a super majority vote which is tantamount to denial of GPA-20216 concurrently with this application.</p> <p>The Planning Commission voted 4-3/se/sd/ld to recommend APPROVAL (PC Agenda Item #18/jm).</p>

<i>Pre-Application Meeting</i>	
02/16/07	A pre-application meeting was held. Staff informed the applicant that the single family detached development proposal required a general plan amendment, rezoning, variance for minimum lot size in a Residential Planned Development zone, and a site development plan review. Submittal requirements were then discussed in detail.
<i>Neighborhood Meeting</i>	
03/15/07	A neighborhood meeting was held at 6:00 pm at Summerlin Lutheran Church, 1911 Pueblo Vista Drive. No citizens attended.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	H (High Density Residential)	U (Undeveloped) [PF (Public Facilities) Master Plan Designation]
North	Retail	SC (Service Commercial)	U (Undeveloped) Zone under Resolution of Intent to C-1 (Limited Commercial) [SC (Service Commercial) Master Plan Designation]
South	School	PF (Public Facilities)	U (Undeveloped) [PF (Public Facilities) Master Plan Designation]
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Offices	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Airport Overlay Zone (175 feet)	X		Y
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Provided
Min. Lot Size	1,440 SF
Min. Lot Width	32 Feet
Min. Setbacks from Building <ul style="list-style-type: none"> • Front • Side • Rear 	5 Feet Zero Feet 5 Feet
Max. Building Heights	3 stories, 35 feet

Existing Zoning	Permitted Density	Units Allowed
U (Undeveloped) Under Resolution of Intent to R-4	50 Units Per Acre	245
Proposed Zoning	Permitted Density	Units Allowed
R-PD14	14 Units Per Acre	65
Proposed General Plan	Permitted Density	Units Allowed
M (Medium Density Residential)	25.49 Units per Acre	125

Pursuant to Title 19.12, the following Landscape Standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer: Min. Trees	1 Tree/ 30 Linear Feet	10 Trees	19 Trees	Y
Min. Zone Width along Rock Springs Road.	6 Feet		6 Feet	Y
Wall Height	8 Feet		Not shown	NA

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
4.91	13.23	1.65	22%	46,688	5%	10,288	N*

*A Variance (VAR-20219) has been requested.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement
The project is required to provide a minimum of two parking spaces per dwelling unit. This meets Title 19.10 parking requirements.

ANALYSIS

- Zoning

In separate applications, the applicant is proposing to Rezone (ZON-20217) the property from U (Undeveloped) under a Resolution of Intent to R-4 (High Density Residential) Zone to R-PD14 (Residential Planned Development - 14 units per acre), and Amend the General Plan (GPA-20216) from H (High Density Residential) to M (Medium Density Residential).

The density of the project (13.2 du/ac) will conform to the R-PD14 (Residential Planned Development – 14 Units per Acre) zone density limit of 14 units per acre. However, the proposed rezoning will introduce a level of residential density that would be incompatible with the surrounding uses.

Per Title 19.06.040 for the R-PD (Residential Planned Development) District the minimum site area that is eligible for rezoning to the R-PD (Residential Planned Development) zoning district is five acres. This particular development is an infill parcel. The site does not meet the intent of the R-PD (Residential Planned Development) District as defined in Title 19.06.040. The proposed deviation is considered a self-imposed hardship as it is the applicant's choice to rezone the property; therefore, denial of this request is recommended.

- Site Plan

The proposed project includes 65-lots with single-family homes. The size of lots range from 1,440 to 2,960 square feet in area. The lots will be accessed from a main entry located along Rock Springs Road. The interior of the project includes private street width of 39 feet which provide access to each residential parking garage and guest parking space areas.

The open space for the proposed development does not meet Title 19.06 requirements and a Variance (VAR-20219) is required, as designed. The applicant is request for a variance to allow 10,288 square feet of open space where 46,718 square feet is the minimum required

- Waivers

A Waiver (WVR-20568) of Title 18.12.130 for termination of a private street without a circular cul-de-sac or crash gate has been requested by the applicant as a companion item to this application. Public Works recommends denial.

- Landscape Plan

Title 19.12 requires 10 trees along the landscape buffer along Rock Springs Road of the project. A total of 19 trees, 13 Mondel Pines and six African Sumac, have been provided. In addition, dispersed about the development are Bottle Trees, Japanese Blueberrys, Purple Leaf Plums, Chinese Photinias all 24 inch box in size and 16 inch box Date Palms. Therefore, the proposed landscape plan is sufficient per Title 19.12 standards.

- Elevation

The elevations show three-story, single-family detached houses with garages and unit entrances on the first floor. The height is shown at 35 feet.

- Floor Plan

The applicant is proposing four separate floor plans for two-story homes that will measure approximately 1,125 to 1,480 square feet in area. Each of the homes will have a balcony and rear yard area. In addition, three of the four proposed units include an attached two car garage.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The applicant is proposing 65-lot single family detached homes surrounded by SC (Service Commercial) to the north, west and east of the site. The SC (Service Commercial) land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. The proposed M (Medium Density Residential) land use designation is inconsistent and not compatible with the adjacent SC (Service Commercial) General Plan designations and land uses to the north, east and west.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed rezoning of R-PD14 (Residential Planned Development – 14 Units per Acre) would permit the proposed 65-lot single-family detached homes on 4.91 acres. However, there are multiple factors that make this proposal inconsistent. The proposed R-PD14 (Residential Planned Development – 14 Units per Acre) is not compatible with the adjacent C-1 (Limited Commercial) zoning to the north, east and west.

In addition, the proposed development deviates from Title 19 standards. The proposal requires a Variance (VAR-20219) from the open space requirements of Title 19.06, as well as a Variance (VAR-20419) for minimum acreage required for a Residential Planned Development. Denial of this project is recommended as the lack of open space is due to the overbuilding of the site and is a self-imposed hardship.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site gains access from Rock Springs Road, a 60-foot local street. These streets will provide adequate access to and from the subject property.

4. **Building and landscape materials are appropriate for the area and for the City;**

Building and landscape materials are appropriate for the area and the City of Las Vegas.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The elevation plans show three-story homes with a maximum height of approximately 35 feet. The design features are unsightly and are they undesirable in context to the surrounding commercial developments; therefore, the proposal is not appropriate for this location.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

By conformance to conditions, appropriate measures will be taken to secure and protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 138 by Planning Department

APPROVALS 0

PROTESTS 0